

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE EX PARTE APPLICATION OF SPS I
FUNDO DE INVESTIMENTO DE AÇÕES –
INVESTIMENTO NO EXTERIOR FOR AN
ORDER TO TAKE DISCOVERY PURSUANT TO
28 U.S.C. § 1782

Case No. 1:22-mc-00118-LAK

**NOTICE OF INTERVENORS JOESLEY BATISTA, WESLEY BATISTA, JBS S.A., AND
J&F INVESTIMENTOS S.A.’S MOTION TO VACATE THE COURT’S *EX PARTE*
ORDER AND TO QUASH SUBPOENAS FOR THE PRODUCTION OF DOCUMENTS
FOR USE IN A FOREIGN PROCEEDING**

Pursuant to the Court’s Order (ECF No. 8), 28 U.S.C. § 1782 and the Federal Rules of Civil Procedure 26, 45 and 60, Intervenor Joesley Batista, Wesley Batista, JBS S.A., and J&F Investimentos S.A. (“Intervenors”), by its undersigned attorneys, respectfully moves to vacate the Court’s April 26, 2022 order (“Order”) granting Applicant SPS I Fundo de Investimento de Ações – Investimento no Exterior’s (“SPS” or “Petitioner”) *ex parte* application to take discovery pursuant to 28 U.S.C. § 1782 (the “Application”) and to Quash the subpoenas served on J.P. Morgan Chase Bank, N.A. (“J.P. Morgan”) and Barclays USA, Inc. (“Barclays” and, with J.P. Morgan, “Respondents”).

In support of its motion, Intervenor respectfully submit a Memorandum of Law In Support of its Motion to Vacate the Court’s April 26, 2022 *Ex Parte* Order and Quash the Subpoenas, Declaration of Pablo Renteria dated June 3, 2022, with supporting exhibit, and Declaration of Lucas Bento dated June 3, 2022, with supporting exhibits.

Dated: June 3, 2022

Respectfully submitted,

/s/ Michael Carlinsky

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